

HONORABLE PHILIP H BRANDT
HEARING DATE: April 7, 2010
TIME: 9:30 am
RESPONSE DATE: March 31, 2010
CHAPTER 7
TACOMA, WA

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT COURT OF WASHINGTON**

Re)
)
PATRICIA NELSON) **In Chapter 7 Proceeding**
) **No. 09-48592**
)
) **Notice of Hearing**
 Debtor(s)) **and Motion to Convert from a**
) **Chapter 7 to Chapter 13**
)
)
)

TO: Clerk of Court, U.S. Trustee; Debtor(s); Chapter 7 Trustee, all creditors

Please take note that the issue of law in this case will be heard on the date below and the Clerk is requested to note this issue on the motion docket for that day.

HEARING DATE: April 7, 2010

TIME: 9:30 am

PLACE: 1717 Pacific Ave
Courtroom H
Tacoma, WA 98402

JUDGE: Philip H Brandt

IF YOU OPPOSE the Motion, you must file your written response with the Court Clerk, serve two copies on the Judge's chambers, serve one copy on the undersigned attorney, and serve one copy of your response on each of the persons set forth on the Certificate of Service attached hereto, NO LATER THAN THE RESPONSE DATE, which is **March 31, 2010**

IF NO RESPONSE IS TIMELY FILED AND SERVED, THE COURT MAY, IN ITS DISCRETION, GRANT THE MOTION PRIOR TO THE HEARING WITHOUT FURTHER NOTICE, AND STRIKE THE HEARING.

Dated: February 21, 2010

/s/ Ellen Ann Brown

Susan H. Seelye, WSB 28825
Ellen A. Brown, WSB 27992
Attorney(s) for Debtor(s)

BROWN and SEELYE PLLC
744 South Fawcett Ave.
Tacoma, WA 98402
253-573-1958

1
2 **MOTION TO CONVERT CASE FROM CHAPTER 7 TO CHAPTER 13**

3 COMES NOW the Debtor(s), by and through their attorneys of record, the law offices
4 of BROWN AND SEELYE PLLC, and move the Court for an order allowing Debtor(s) to convert their case
5 to a case under Chapter 13. Pursuant to 11 USC Section 706, the above-named Debtor(s) request that
6 this court enter an Order converting this case under Chapter 7 to a case under Chapter 13 of the
7 Bankruptcy Code as follows:

- 8 1. This case was filed on 11/17/09. The Trustee has not entered a No Asset Report in this case and
9 the case is not yet closed.
- 10 2. The Debtor(s) wishes to convert this case to a Chapter 13 in order to repay her taxes to the IRS
11 through the Plan and exempt all of her assets.
- 12 3. This case has not been previously converted under 11 USC 1112, 1208 or 1307.
- 13

14 Wherefore, the Debtors pray for an Order converting this case under Chapter 7 to a case under Chapter
15 13 of the Bankruptcy Code.

16

17 RESPECTFULLY SUBMITTED February 21, 2010

18 BROWN AND SEELYE PLLC
19 Attorneys for Debtors

/s/ Ellen Ann Brown

20 _____
21 SUSAN H. SEELYE, WSBA 28825
ELLEN ANN BROWN WSBA 27992

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25 **BROWN and SEELYE PLLC**
744 South Fawcett Ave.
Tacoma, WA 98402
253-573-1958

1 **CERTIFICATE OF SERVICE**

2 THE UNDERSIGNED hereby certifies:

3 On the date set forth below, I caused to be delivered by the method indicated below, a
4 true and correct copy of **NOTICE OF HEARING AND MOTION TO CONVERT CASE TO A CASE**
5 **UNDER CHAPTER 13 AND PROPOSED ORDER** properly addressed to the debtor(s) and each of the
6 following:

7 **ELECTRONIC NOTICED**

8 Chapter 7 Trustee
9 Brian Budsberg

10 Office of the U.S. Trustee
11 1200 Sixth Ave. #600
12 Seattle, WA 98101

13 ***FIRST CLASS MAIL TO:***

14 with Notice of Hearing to all
15 parties who are listed
16 on the ECF mailing matrix

17 I declare under penalty of perjury that the foregoing is true and correct to the best of my
18 knowledge and belief.

19 Signed at Tacoma, Washington on February 21, 2010

20 /s/ Ellen Ann Brown

21 _____
22 Ellen Ann Brown
23 Attorney at Law

24
25 **BROWN and SEELYE PLLC**
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Tacoma, WA 98402
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